

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Stephenson et al.	§	Examiner: Michael J. Feely	
	§		No Amendment filed
Serial No.: 10/824,217	§	Group Art Unit: 1796	(arguments only)
	§		/MF/ 10/24/2008
Filed: April 14, 2004	§		
	§		
Title: Porous Particulate Materials	§	Attorney Docket No. 020569-03403	
	§	(P202-1230B-US)	
	§		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO FINAL OFFICE ACTION OF 14 JULY 2008

Sir:

This communication is in response to the FINAL Office Action of 14 July 2008.

REMARKS

Claims in the Application. Claims 106-110, 112, 114-116, 119, 121-131, 135-140, 142, 144-145, 150-154 and 160-180 are active in this application. Reconsideration is respectfully requested.

Examiner's Rejection Over Rickards. The Examiner has made the following rejections:

- (i.) rejection of Claims 106-110, 112, 114-116, 119, 121-131, 135-140, 142, 144, 145, 150-154, 160, and 169-180 under 35 U.S.C. § 102(b) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over U.S. Patent Publication No. 6,059,034 ("*Rickards*"); and
- (ii.) rejection of Claims 161-168 under 35 U.S.C. § 103(a) as being unpatentable over *Rickards*.

These grounds of rejection are respectfully traversed.

The claims of Applicants are directed to a *particulate* which has been treated, modified or coated, not to an *agglomerate* of particulates. It is the agglomerate of *Rickards* which exhibits porosity, not a particulate.

The interconnected porosity of the particulate of Applicants permits encapsulation or entrapment of air or lightweight fluid in the pores of the particulate material. FIG. 30 of